## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being faccimile transmitted to the United States Patent Office, number 1-571-273-8300, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope, or filed electronically via the EFS-Web System, and addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 13, 2099.

/Michael Chen/

Michael Chen

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/789,776 Confirmation No. 1912

Applicant : James Say, et al. Filed : February 27, 2004

TC/A.U. : 3735

Examiner : Natnithithadha, Navin

Docket No. : TS-02-24 Customer No. : 30349

Title: ANALYTE MONITORING DEVICE AND METHODS OF USE

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO OFFICE ACTION MAILED AUGUST 13, 2008

Sir:

In response to the Office action of August 13, 2008, please amend the above-identified application as follows:

The Listing of Claims begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.